DOCUMENT RESUME

ED 316 816 CG 022 367

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TITLE	It's Your Right!
INSTITUTION	NETWORK, Inc., Andover, MA.
SPONS AGENCY	Department of Education, Washington, D.C.
PUB DATE	84
NOTE	20p.
AVAILABLE FROM	The Mid-Atlantic Equity Center, 5010 Wisconsin Ave., N.W., Suite 310, Washington, D.C. 20016 ($1.00 each).
PUB TYPE	Guides - General (050)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Elementary School Students; *Elementary Secondary Education; *Nondiscriminatory Education; Secondary School Students; *Sex Discrimination; *Student Rights
IDENTIFIERS	*Sex Equity

ABSTRACT

This pamphlet notes that legal rights are protected by Title IX and sets forth a student's sex equity bill of rights. It states that educational rights are usually supported by board of education policy or a school's educational philosophy. The 10 statements in the student's sex equity bill of rights explain a student's legal and educational rights on the basis of sex. These 10 categories of students' rights in the area of sex equity are discussed: (1) the right to enroll in any course or program; (2) the right to be treated equitably in terms of course requirements; (3) the right to learn about the contributions that people of each sex have made; (4) the right to hear language that is nonsexist; (5) the right to ask questions regardless of sex; (6) the legal right to be disciplined according to the nature of an offense rather than on the basis of sex; (7) the right to receive both praise for accomplishments and constructive criticism for improving work without regard to sex; (8) the right to pursue studies free of sexual harassment from other students or faculty; (9) the right to be considered for any work-study program or co-op job without regard to sex; and (10) the right to know what students' rights are. Six steps for students to follow if they run into a problem with sex equity rights in schools are presented. (ABL)

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It's Your Right!

What are your rights as a male or female student? Take this quiz to find out.

		Legal	Illegal
1.	A male teacher says that he won't accept any girls in his electrical shop.	___	___
2.	In an introductory computer course, the instructor teaches girls data processing and boys programming.	___	___
3.	A physics book has no pictures of women nor does it discuss the contributions of female physicists.	___	___
4.	The teacher uses "he" and "man" to refer to students of both sexes.	___	___
5.	The teacher almost always calls on male students, rarely allowing female students to respond.	___	___

(Want to check your answers? Follow the corresponding numbers inside.)

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It's Your Right!

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It's Your

You've made a decision that sets you apart from others. You've enrolled – or are thinking about enrolling – in a course or program nontraditional to your sex. You're likely to be the first and only – or perhaps one of a few – female or male students in your class. That may cause you to have a lot of different feelings. You may feel excited and challenged or worried and alone. Or you may feel anxious, not knowing what to expect.

This pamphlet lets you know how you should – and shouldn't – be treated because of your sex. It also tells you what steps to take if someone violates your rights. After reading it, you should feel more confident and comfortable being in the minority in your class. You're a pioneer. It won't necessarily be easy, but it can be one of the most important decisions you make. After all, it is your future.

WHAT ARE SEX BIAS AND DISCRIMINATION?

Sex discrimination is any action that violates federal, state or local laws prohibiting discrimination on the basis of sex. All such acts are illegal. On the other hand, sex bias – prejudicial attitudes for or against persons because of their sex – is not necessarily illegal. It is, however, harmful to both males and females.

Here are a couple of examples. Prohibiting a girl from enrolling in welding or a boy from signing up for Foods Preparation II, solely because of their sex, would be an illegal act of discrimination. Having an academic contest of boys vs. girls reflects sex bias. Although not illegal, pitting students of one sex against the other reinforces sex stereotyping and may make students feel less adequate and confident about their abilities.

HOW DO YOU RECOGNIZE SEX BIAS AND DISCRIMINATION?

Look for instances in which females or males are treated differently just because of their sex. And look to see how they are hurt by being treated differently.

As a check, ask yourself a couple of questions:

- Am I being treated differently from students of the opposite sex?
- Am I experiencing any barriers due to differential treatment on the basis of sex?

If your answer is yes, you've most likely encountered some form of sex bias or discrimination.

Right!

WHY DO SEX BIAS AND DISCRIMINATION OCCUR?

No one knows for sure. More traditional than intentional, most bias and discrimination probably come from years of believing that boys and girls and women and men in our society have totally different roles. Because some people believe that females should behave in certain ways and males behave in different ways, they treat each group differently, and are often totally unaware of the negative effects of their beliefs.

WHAT IS TITLE IX (EDUCATION AMENDMENTS OF 1972)?

In response to the negative effects of sex bias, in 1972 Congress passed a law prohibiting schools from discriminating against students because of their sex. It is called Title IX, and it protects your right to enroll in any course or program regardless of your sex. Your rights may also be protected by state laws and board of education policy. Your district's Title IX coordinator will have information about these statutes or policy statements. See your Title IX coordinator if you have a question or need some support for your rights.

Since many students aren't aware of their rights, this pamphlet sets forth a student's sex equity bill of rights. These 10 statements explain your legal and educational rights on the basis of sex. Legal rights are protected by Title IX. Educational rights are usually supported by board of education policy or your school's educational philosophy. If that's not the case in your school, see your Title IX coordinator.

If you find that any of these rights have been violated, then you have experienced some form of sex bias or sex discrimination. The suggestions at the end of this pamphlet tell you what to do if that happens to you.

Sex Equity for Students: A Bill of Rights

1. You have the legal right to enroll in any course or program regardless of your sex.

If you want to enroll in auto mechanics, carpentry, physics or advanced calculus, it is illegal to stop you because you're a girl. And if you want to take a course in cosmetology, child development, secretarial skills or sewing, no one should tell you no just because you're a boy. People come up with some pretty strange reasons to support discrimination.

Did you ever hear that

- there's something wrong with you for wanting to enroll?
- enrolling is a waste of time because you'll never use the knowledge and skills that you gain?
- you can't enroll because there are no locker rooms or restroom facilities?
- you really shouldn't enroll because the teacher doesn't like students of your sex?

There may be requirements that you have to meet before enrolling – like a certain grade point average or successful completion of other courses. That's all right – just as long as those requirements apply to all students.

Quiz Item 1: Illegal if the teacher's words actually discourage or prevent students from enrolling.

2. You have a legal right to be treated equitably in terms of course requirements and how you meet those requirements.

Giving students choices based on interests and needs is an effective teaching strategy. However, teachers should not assume that you want and need certain assignments solely because of your sex. Differences in assignments should be based on how much you know, what skills you need and what your interests are. For example, in home economics girls may be interested in making backpacks rather than purses. On the other hand, boys need to know how to give a baby a bath.

In addition, you should not be

- told that any learning activity is for girls only or boys only.
- assigned to single-sex teams or work groups. To the extent possible, small groups should be made up of both boys and girls.
- made to watch while students of the other sex practice a skill. Both boys and girls should be able to conduct the physics experiment or feed the baby.

Remember that instruction doesn't have to be identical for all students, but there shouldn't be different assignments made on the basis of sex.

Quiz Item 2: Illegal because students are being instructed according to their sex.

3. You have an educational right to learn about the contributions that people of your sex have made to the field you're studying.

All too often textbooks omit the history, contributions and points of view of persons of one sex. For example,

- Do the carpentry or auto mechanics texts omit pictures of women working?
- Does the child development text talk mostly about mothers, leaving out fathers?
- Does the computer text refer to programmers as the generic but sexist "he" rather than "he" and "she" or "they"?

When you open your text, you should see people of your sex. You should also be able to read about their accomplishments and perspectives. If not, you may think that you – and persons like you – don't belong. You may also pick up inaccurate information about what persons of your sex do – or don't do – in that field.

And don't forget about films, slide-tape presentations and other learning materials that you use. They should also show both females and males in a variety of roles.

Although textbooks are not covered under Title IX, it is clear that sex bias in texts or in illustrations reinforces the notion that women and men do very different things. And that notion can keep you from preparing yourself for the kind of life you'll lead as an adult.

Quiz Item 3: Legal. No law can violate our First Amendment right to freedom of speech guaranteed by the Constitution of the United States of America. That's why Title IX does not cover textbooks. However, your school may have a policy indicating that the histories and perspectives of minorities and both sexes be included in all texts.

4. You have an educational right to hear language that is nonsexist, including words that refer to persons of both sexes.

Language in the classroom can be the source of much sex bias and stereotyping. It can make you feel very uncomfortable because of your sex.

Your teacher and the other students should not

- ignore students who are the minority in the class (for example, "Okay, boys, it's time to work on the carburetor.").
- use derogatory terms ("sweetie," "chick," "stud") or demeaning references ("dumb blondes," "lousy women drivers," "irresponsible fathers").
- tell jokes in which girls and women (or boys and men) bear the brunt of the humor.
- use "he" and other male pronouns, as well as "man" (as in "mankind"), to refer to persons of both sexes.

Research studies show the influence of using male pronouns and nouns to refer to persons of both sexes. People are very literal in their thinking. When the terms "he" and "man" are used to supposedly refer to both sexes, students often still think of males. Both girls and boys then get the idea that the activity is for males only.

Although not illegal, biased language can negatively affect you. It can either make you feel uncomfortable or give you incorrect information. Either way, your learning is at stake.

Quiz Item 4: Legal. Since our Constitution insures freedom of speech, we don't normally regulate what people can and can't say. However, from an educational perspective, teachers can make their language more inclusive and less offensive by eliminating sex bias.

5. You have an educational right to answer and ask questions regardless of your sex.

Although teachers are often unaware of the fact, they may interact differently with male and female students. Research studies show that both male and female teachers are likely to call on male students more often. For real equal opportunity in the classroom, your teacher should not

- call on male students more than female students.
- allow more boys than girls to call out answers.
- ask boys more factual questions, more abstract questions and more open-ended questions.
- allow male students more time to think before answering a question.

If you're a young woman, make sure that you're getting your fair share of the teacher's instructional time. That's essential for you to do well in your course. If the teacher doesn't call on you, you may have to practice being more assertive in getting his or her attention. In answering questions, avoid self put-downs (such as "I don't think this is right, but . . . ") and tentative language (such as "kind of," "maybe" and "probably"). Remember that you're as likely to be right as anyone else in the class. You can be just as assertive as your male classmates.

Quiz Item 5: Illegal. Such exclusionary behavior is most likely part of a broader pattern of bias and discrimination. Although to date no court cases have tested this type of violation under Title IX, a strong position can be made that the teacher is providing different "aid, benefits or services," which is illegal. Regardless of the legal status, the teacher should provide equal time for female and male students to answer and ask questions.

6. You have a legal right to be disciplined according to the nature of an offense rather than on the basis of your sex.

Who do you think receives more discipline? And why?

Research shows that teachers discipline female and male students differently, even when the offense is the same. For example, two students – one male, the other female – are caught not putting away lab tools. The male is given detention while the female is only reprimanded.

We're not sure why this occurs. Perhaps teachers expect boys to misbehave more than girls. So boys get the punishment they "clearly deserve" while girls are simply reprimanded for the "slip" that they made.

Regardless of your sex, the teacher should not be giving you harsher or more frequent punishment simply because of your sex. It's illegal.

Quiz Item 6: Illegal, assuming that this offense is the first one for both.

7. You have an educational right to receive both praise for your accomplishments and constructive criticism for improving your work without regard to your sex.

Differences in evaluating students' performances is a very subtle form of sex bias, again one that most teachers aren't aware of. However, if you are male, research shows that you receive more praise, more criticism and more help in answering questions from your teacher than female students receive. Your teacher is also more likely to tell you how to do a task while completing that same task for girls.

Research also points out a very important relationship. The amount and quality of your interaction with your teacher directly affect how much and what you learn. Therefore, if you are a female student, you need to receive your fair share of the teacher's praise, criticism, help in answering questions and time to practice new skills.

Quiz Item 7: Illegal. This appears to be another instance of a teacher providing different "aid, benefits or services." If this is a proven pattern in the teacher's behavior, then it is most likely a violation under Title IX.

8. You have a legal right to pursue your studies free of sexual harassment from other students or faculty.

Students enrolled in classes or programs nontraditional to their sex may encounter another subtle form of sex discrimination called sexual harassment. Regardless of your sex, teachers or other students should not

- subject you to sexual teasing, jokes, remarks or questions.
- pressure you for dates or punish you in any way for rejecting sexual advances.
- leer at, touch, pinch or make comments about your body.
- write you suggestive notes or put offensive pictures in your locker.
- use obscene gestures or make obscene telephone calls.

These behaviors can interfere with your progress in class and make you so uncomfortable that you want to leave. In fact, some educators believe that one of the major reasons students drop out of programs nontraditional to their sex is because of sexual harassment. That's unfortunate, because sexual harassment is illegal. It should not happen to you—or to anyone.

Quiz Item 8: Illegal. Sexual harassment is keeping this student from pursuing educational goals, and that is not allowed.

9. You have a legal right to be considered for any work-study program or co-op job without regard to your sex.

If you have a parttime job as part of your school program, your work assignment should be made without regard to your sex. Employers cannot legally tell school officials that they want only a boy or only a girl for a certain job. If an employer makes such statements, under Title IX the school is prohibited from supplying that employer with students.

Just as schools are prohibited by the federal government from discriminating on the basis of sex, so are employers. The law is called Title VII of the Civil Rights Act of 1964 and applies to all employers with 15 or more workers.

As a parttime worker, you are covered by this law. It protects you from sex discrimination on the job, including sexual harassment. Female students 16-19 years old are especially vulnerable to sexual harassment in the workplace. No one should pressuring you for dates, touching your body or making lewd comments while you're at work. Such behavior can get in the way of your doing your work, and that's against the law.

Quiz Item 9: Illegal.

10. You have a legal right to know what your rights are.

According to Title IX, schools are legally required to inform you of your rights and how to protect them. Your school district should have a person called a Title IX coordinator who is responsible for making sure that all students – as well as teachers, counselors and other school employees – know their rights and responsibilities under Title IX.

Your individual school may have a teacher, counselor or administrator who helps insure that no sex discrimination occurs. Some schools have student advocates who are very knowledgeable about Title IX and students' rights. These people should be a ready source of help in keeing you informed about your rights and how to protect them.

Quiz Item 10: Illegal. The counselor should inform a student of his or her rights under Title IX rather than intimating that he or she has none.

WHAT TO DO IF YOUR RUN INTO A PROBLEM

If someone says you can't enroll in welding because you're a girl or in sewing because you're a boy, it's normal to feel anger or to wonder if there's something wrong with you. Although you may be angry or have self-doubts, the problem is not with you but with the other person. Here are some suggestions for protecting your rights and making yourself feel better in the process.

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1. Talk to the person who's infringing upon your rights. Often people don't realize the impact that their behavior is having on you. Perhaps the teacher was trying to protect you by saying that no one would hire a female in that field. Perhaps your classmate's comments were meant to be a joke even though they weren't funny to you. If you explain how another's behavior affects you, that person will often apologize and simply stop whatever they were doing. Remember that most instances of sex bias and discrimination are unintentional rather than deliberately malicious.

2. Write a letter to the offending person. Another approach is writing a letter to a teacher or student, indicating how you feel about the behavior and asking that person to act in a different way. Your letter should be straightforward, listing the behaviors you object to; when the behavior occurred; how you feel; and, finally, what you want the person to do. The letter may lead to a discussion which clears up the problem. If not, it is a good record of the facts if you need to inform someone in authority.

3. Talk with someone in authority. Sometimes you may not feel comfortable talking directly with the student or teacher. In those instances, talk to a counselor or someone in authority with whom you feel comfortable. When you speak with that person, have details to support your concern. That includes names, dates and examples of things said or done to which you object. Also, relate what you said or did and how you feel about the behavior.

This person can, in turn, speak with the student or teacher who is treating you unfairly because of your sex.

4. Seek the support of other students. Other students are often your best source of help. Those of you who are the minority in a class or program may want to form a support group. By coming together once every week or two, you share problems and concerns and provide sup-

port and encouragement to one another. Many schools have started support groups for students enrolled in courses nontraditional to their sex as a way of helping students successfully complete the program they've chosen.

A teacher or counselor should be able to help you start such a support group. Don't hesitate to speak to such a person about the need for students to assist each other.

5. Don't forget your family. Although you may want to resolve this problem on your own, remember that your family may be able to lend you a hand. Talking with a parent or other family member or having that person with you when you talk to a teacher or other school official can be very helpful. Also, your mother, father or guardian may want to intervene on your behalf in serious cases.

6. If all else fails, file a grievance. According to Title IX, all schools must have a specific procedure by which you can allege that your rights have been violated. Your school district's Title IX coordinator or your principal should have information on how to use this process. It is designed to help students resolve any possible complaints of sex discrimination. It's for you to use, and no one should try to intimidate you or harass you for doing so.

Ideally, you can resolve the issue informally. If not, using the grievance procedure may be the next appropriate step. And if that fails, you do have a right to sue under Title IX or to file a complaint with the U.S. Office for Civil Rights, U.S. Department of Education, the enforcement agency for Title IX. The address is 330 C Street, S.W., Washington, D.C. 20202; the telephone number is (202) 732-1213. Your district's Title IX coordinator has more information on these procedures, or you may want to consult an attorney.

These are examples of some of the steps you can take if you believe that your rights have been violated. We hope that doesn't happen. You should be able to enroll in and successfully complete any course or program without regard to your sex. If you do, your school and you are to be commended. If you run into a barrier, perhaps the information in this pamphlet will help you meet your educational goals.

Remember, it is indeed your right.

For further information, contact your Title IX coordinator. If your school personnel need assistance in complying with Title IX or achieving their sex equity goals, they may contact the Mid-Atlantic Equity Center, 5010 Wisconsin Avenue, N.W., Suite 310, Washington, D.C. 20016. The telephone number is (202) 885-8536.

KEY TERMS

The following terms* are used in this pamphlet.

educational right – A student's right based on board of education policy, educational goals or objectives or sound educational philosophy and practice

legal right – A student's right based on local, state or federal legal requirements

sex bias – A prejudiced attitude for or against a person based on their sex

Examples:

- Assuming that boys need more math and science than girls
- Refusing to vote for a girl running for class president solely because of her sex

sex discrimination – An act that violates Title IX and other federal/state laws prohibiting discrimination on the basis of sex

Examples:

- Prohibiting young women from enrolling in auto mechanics solely because of their sex
- Keeping young men out of homemaking courses

sex-fair – A term describing policies, practices, behaviors and attitudes that reflect sex equality

Examples:

- Encouraging both females and males to participate in club elections
- Rewarding both boys and girls for the quality of their thoughts in a written composition

sexism – Institutional policies and practices based on the assumption that one sex is superior to another, thereby justifying differential treatment (see sex bias, sex discrimination and sex role stereotyping for examples of different forms of sexism.)

sex role stereotyping – The assumption that females or males, solely because they are of the same sex, share common abilities, interests, values and/or roles

Examples:

- There are some games that are appropriate for boys; others are better suited for girls
- Most jobs in our society can be labeled "men's work" or "women's work"

sexual harassment – Unwanted verbal or physical attention

Examples:

- Pressuring someone for dates
- Constantly touching or brushing up against someone when that behavior is unwelcomed

*Developed by Susan Shaffer, The Mid-Atlantic Equity Center

		Legal	Illegal
6.	Two students – a girl and a boy – are caught cheating. The boy is suspended for 3 days. The girl gets detention for a week.	___	___
7.	The teacher praises boys more than girls.	___	___
8.	Students and teacher taunt a female classmate, making so much fun of her body that she drops out of welding class.	___	___
9.	An employer asks the school for a male student for part-time work in landscaping and a female student for secretarial work.	___	___
10.	A male student complains about a teacher who favors girls in her instruction, and the counselor says that there's nothing that anyone can do.	___	___

(Need more information? Follow the corresponding numbers inside.)